

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

In re Application of

*West African Mineral Trading Ltd. and
Tiberius Group AG*

For an Order to Obtain Discovery Use in
Foreign Proceedings

24-Misc.-114 (DEH)

ORDER

DALE E. HO, United States District Judge:

On March 12, 2024, Applicants West African Mineral Trading Ltd. and Tiberius Group AG (together, “Applicants”) filed this action, seeking an *ex parte* order allowing them to seek discovery from seven entities for use in pending and/or contemplated proceedings in Nigeria, the United Arab Emirates, and Croatia. *See* Ex Parte Appl. for Order Pursuant to 28 U.S.C. § 1782 (“Appl.”), ECF No. 1.

On August 19, 2024, this Court issued an Order partially granting Applicants’ request. ECF No. 6. Specifically, this Court granted the application with respect to six entities and denied the application without prejudice with respect to one entity.¹ *See id.* This Court ordered Applicants to “serve th[e] order and its application materials on the Foreign Defendants and file proof of service by September 6, 2024.” *Id.* at 11. This Court also stated that the matter would “be held open until service is complete and the Foreign Defendants have an opportunity to contest the propriety of the subpoena.” *Id.*

¹ The Court stated that, “[b]ecause a different record may well support jurisdiction” over that one entity, Applicants’ “application with respect to it is denied without prejudice to renewal.” Order at 8.

On September 6, 2024, Applicants filed a certificate of service. ECF No. 7. Since that date, the docket in this matter has lain dormant.

It is hereby ORDERED that, unless this Court receives a motion for relief from either Applicants or from the Foreign Defendants within thirty days of this Order being issued, this case shall be closed. Applicants shall serve a copy of this Order on the Foreign Defendants and file proof of service by **December 2, 2024**.

SO ORDERED.

Dated: November 19, 2024
New York, New York

A handwritten signature in black ink, appearing to read 'Dale Ho', is written above a horizontal line.

DALE E. HO
United States District Judge